

Lynchburg Electoral Board Meeting

December 2, 2021

**Meeting Held GLTC Conference Room
800 Kemper Street**

Members present:

David B. Neumeyer, Chair
Carolyn Sherayko, Vice Chair,
John W. Cobbs, Secretary

Others present:

Christine Gibbons, General Registrar
Kim Conner, Deputy Registrar
Jeff Rosner, Lynchburg Democratic Party Authorized Representative
Eric Harrison, Lynchburg Republican Party Chair

Call to Order

The meeting was called to order by Mr. Neumeyer at 4:02 p.m.

Approval of the minutes and agenda

Approval of December 2, 2021 Electoral Board Meeting Agenda adopted with amendments. Motion made by John Cobbs, Secretary. Seconded by Carolyn Sherayko, Vice Chair. Motion approved unanimously.

Approval of October 7, 2021, November 8, 2021, November 22, 2021 Electoral Board Minutes. Motion made by John Cobbs, Secretary. Seconded by Carolyn Sherayko, Vice Chair. Motion approved unanimously.

Citizen Comments

There were no citizen comments

Old Business

There was no Old Business to discuss

New Business:

Approval of FY 2023 Registrar and Electoral Board Budget:

Approval of the Draft Report to the State Department of Elections on the Crosspoint Incidents on Election Day: David Neumeyer received comments from Jeff Rosner on behalf of the Democratic Party Committee of Lynchburg. These comments were read out loud to those in attendance. At this time David Neumeyer asked the board if there were any other comments or changes to the report. There being no changes David Neumeyer asked for a motion to approve the report and for the report to be shared with the party chairs, press, city council, and the State Department of Elections. A motion was made by John Cobbs, Secretary. Seconded by Carolyn Sherayko, Vice Chair. The motion was approved unanimously.

Discussion of all the action steps the Electoral Board adopted from the report on the Crosspoint incidents on Election Day.

Action Item Number One: The Electoral Board will in the future provide materials and annual training on the definition of any entrances to any polling place. The Electoral Board further defined that any entrance, locked or unlocked doors, both ingress and egress is an entrance. Election Officers are to measure starting from the “hole in the wall.” Training on the entrances and measurement for the 40’ will be included in training each year for all election officials.

Action Item Number Two: The Electoral Board will add detail to its regular training events for election officers on the exact processes which party observers should be allowed to view all aspect of the opening and closing of the polls. Christine Gibbons, General Registrar to follow up with the State Department of Elections on the question of the use of phone for observers during the closing and ascertainment of results. Eric Harrison, Lynchburg Republican Party Chair states that he has found nothing in Code 24.2 which strictly forbids phones during the ascertainment of results as stated in the Do’s and Don’ts for Campaigners and Authorized Representatives. The Electoral Board’s expectation is that all election officials will be trained on the proper opening and closing of election and strongly encourage authorized representatives to attend the training. Jeff Rosner, Lynchburg Democratic authorized representatives stated that the Democratic Party of Lynchburg will encourage authorized representatives to attend the training. Carolyn Sherayko, Vice-Chair suggested the training should be open to the general public as well as authorized representatives and include hands on information regarding the electronic pollbooks and voter tabulation scanners. Virginia election law §24.2-635 does allow for demonstrations for the public.

Action Item Number Three: The Board will also present information on how and when the Electoral Board will intervene and when the Lynchburg Police Department will intervene. Christine Gibbons, General Registrar, has been instructed to set up a meeting with the Lynchburg

Police Department to clarify the roles of the Lynchburg Police Department and the Electoral Board when incidents arise at polling locations.

Discussion on November 10 memo from Ben Jones to Electoral Board

- a. Establish a Rapid Response Plan that would get a board member or equivalent to a precinct ASAP in cases where the situation does not warrant a 911 call. Election Officials are given a Election Day Contact List and training has instructed election officials to contact electoral board members when issues arise at the polling location. Moving forward training will also include when to vote someone out of the precinct, when to call an electoral board member, and written instructions for the Chiefs.
- b. Plan the board's physical response to a Breach of the Precinct which would include a 911 call and retreat of the staff. The plan will include what happens with the equipment, calling the electoral board or Lynchburg Police Department, and how election officials can physically protect themselves.
- c. Observers mask in the precinct, no exceptions, dismissal by the chief for non-compliance. Training item regarding who can be required to mask within the precinct.
- d. Limit use of cell phones by observers. There is a statutory right for authorized representatives to communicate with party outside of the precinct. Further training on phone use in the precinct how/when party representatives have a right to use of the phone and best practice's to take phone calls outside of the precinct.
- e. Require observers to wear name-tags for visual identification. The General Registrar's Office to purchase name tags and lanyards which state, "party observer".
- f. Allow Chiefs to write up a report on observers who do not follow guidelines. Chiefs to be reminded that the incident report is to be used to report any irregularities which have occurred during the day at the polling location
- g. Have the parties create an "Observer Coordinator" to handle persistent and extreme problems. If no "observer coordinator" election officials will be instructed to contact an electoral board member. If the party does have an "observer coordinator" best practice would be to share the phone number with the Registrar's Office to include the contact information on the Election Day Contacts for Chiefs.

Other Business:

The dates for Virginia Electoral Board Association Conference to be held in person will be March 18-20.

Compliance certification for training of election officials are due. Christine Gibbons, General Registrar, would like to confirm who will complete the compliance, the board, or the registrar? The electoral board members all agreed that the registrar should complete the compliance certification.

Executive Session

At 5:08 p.m. Mr. Cobbs made a motion to enter Executive Session under Code of Virginia 2.2-3711 to discuss personnel considerations. The motion was seconded by Mrs. Sherayko and approved unanimously.

Members present:	David Neumeyer	yes
	Carolyn Sherayko	yes
	John Cobbs	yes

At 5:45 p.m. Mr. Cobbs made a motion to exit Executive Session and Mrs. Sheryako seconded. The motion was approved unanimously.

Members present:	David Neumeyer	yes
	Carolyn Sherayko	yes
	John Cobbs	yes

Certification of Executive Session

Pursuant to an affirmative recorded vote and in accordance with the Virginia Freedom of Information Act, and because Virginia Code 2.2-3711 requires the Board to certify that such Executive Session was conducted in uniformity with Virginia Law, the Board certified by vote call that, to the best of each member's knowledge only personnel considerations were discussed in Executive Session.

Certify by Motion	David Neumeyer	yes
	Carolyn Sherayko	yes
	John Cobbs	yes

Motion approved unanimously.

There being no further business, Mr. Neumeyer adjourned the meeting 5:45 pm

Next meeting Date: January 13, 2022 at 4:00 p.m.

Adjournment

Respectfully submitted,

Betty Gibbs, Secretary
Electoral Board
City of Lynchburg